

REMARKS

In paragraph 1 of the Office Action the Examiner objected to the drawings under 37 CFR§1.83(a) because there was no drawing of a shaped front cross member. In response, the reference to a shaped front cross member has been deleted from the claims. For this reason, it is requested that this ground of objection be withdrawn.

In paragraph 3 of the Office Action, claims 1, 3 and 5-7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Glance, U.S. 6,435,579 (Glance) in view of Carpenter et al., U.S. 5,139,297 (Carpenter).

Reconsideration is requested.

Amended claim 1 points out a structure which has a front cross-member, first and second absorbing elements and an additional absorbing system placed between elements of the second absorbing elements. The structure disclosed by Glance has a bumper beam which comprises first and second channel members that are internally joined with "bulkheads" 16. These bulkheads are not disclosed as being capable of energy absorption. Energy absorption is provided in the Glance bumper by absorbers 19 and 21 which are positioned behind the bumper beam which is not attached to the lateral side members as is the front cross member of the applicant's structure as defined in amended claim 1 of the present application.

The Glance design does not contemplate the inclusion of laterally-spaced absorber elements that are placed on the bumper side of the cross member with intervening spaces that provide a place for an additional absorber system. These laterally-spaced elements are explicitly pointed out in amended claim 1.

The Carpenter device only has a single energy absorbing system which is an energy absorbing material that is placed between a pair of rail members. There is no teaching in Glance or Carpenter which makes obvious the use of three energy absorbing structures in the arrangement defined by claim 1. In the absence of a direction or teaching that suggests combining the cited references, it is not proper to combine the references based on the applicant's structure. For these reasons, it is requested that the rejection of the claims over the cited references be withdrawn.

Claims 1 and 8 have been amended to include the subject matter of claims 2 and 4. Additional amendments have been made to improve the syntax of the claims. Support for these amendments can be found in claims 2 and 4 as originally filed and the specification page 5 line 16 to page 6, line 16. No new matter has been added.

In paragraph 3 of the Office Action, the Examiner rejected claims 8-10 under 35 U.S.C. 102 (a) as being anticipated by Rich et al., United States Patent No. 5,219,197 (hereinafter Rich et al.).

Reconsideration is requested.

In paragraph 4 of the Office Action, the Examiner rejected claims 8-10 under 35 USC §103(a) as being unpatentable over Evans 2002/0149214 (Evans) in view of Norlin, U.S. 3,997,207.

Reconsideration is respectfully requested.

Evans describes a bumper with a face mounted energy absorption system. While Evans may have a fillable internal chamber, there is no mention of placing an energy absorber within said chamber in accordance with amended claim 1. The laterally spaced energy absorbers of Evans do not have any additional absorber placed in the spaces between the

laterally spaced elements. There is no reason to combine the teachings of Evans with Norlin because these references do not contain any disclosure which points to including a feature of one device in the other device. Norlin only utilizes a single internal honeycomb energy absorber and does not suggest the use of two additional energy absorbers as pointed out in amended claim 8.

Based upon the above amendments and remarks, applicant respectfully submits that of all of the claims are allowable over the prior art and that the present application is in proper form for allowance.

An early and favorable action is earnestly solicited.

Respectfully submitted,


James V. Costigan
Registration No.: 25,669

MAILING ADDRESS

Hedman & Costigan, P.C.
1185 Avenue of the Americas
New York, NY 10036
(212) 302-8989